

**IN THE CLAIMS**

Please cancel without prejudice claims 73 and 75, amend claims 1, 8, 16, 21, 71, 74, 76, 77, 83-85 and 89 and add new claims 97-100 as indicated in the list of pending claims:

**PENDING CLAIMS**

1. (Currently Amended) A tissue biopsy device for accessing and collecting a tissue specimen from a target site within a patient, comprising:

- a. an elongated probe member which has a longitudinal axis, which has a proximal end configured to be secured to a drive, which has an inner lumen extending therein, which has a penetrating distal tip and which has an aperture proximal to the penetrating distal tip configured to receive tissue from the target site; and
- b. an elongated tissue cutting member which is disposed within the elongated probe member, which has a beveled distal tip with at least one outer tissue cutting edge, which ~~defines at least in part a~~ tissue receiving opening, which has an inner lumen extending therein ~~to an~~ and in fluid communication with the tissue receiving opening, which has a longitudinally oriented slot in a distal wall portion that opens to the tissue receiving opening and which is configured to be operably connected to at least one drive unit to move the tissue cutting member to cut a tissue specimen from tissue extending into the tissue receiving aperture of the elongated

probe member by at least one outer tissue cutting edge of the tissue cutting member.

2-6. (Cancelled)

7. (Previously presented) The biopsy device of claim 1 wherein the inner lumen of the tissue cutting member is configured to access a vacuum source to transport a tissue specimen through the inner lumen thereof to a tissue collector in fluid communication with the inner lumen.

8. (Currently Amended) The biopsy device of claim 1, wherein the tissue cutting member is configured for ~~rotational~~ oscillating movement about the longitudinal axis.

9. (Original) The biopsy device of claim 8, wherein the tissue cutting member is also configured for reciprocating longitudinal movement.

10. (Original) The biopsy device of claim 9, wherein the tissue cutting member is configured for reciprocating longitudinal movement of between about 0.01 inch and about 0.2 inch (0.25-5.1 mm).

11-14. (Cancelled)

15. (Previously Presented) The biopsy device of claim 1, wherein the tissue cutting member is configured for longitudinal movement along the longitudinal axis.

16. (Currently Amended) The biopsy device of claim 15, wherein the tissue cutting member is also configured for oscillating ~~rotational~~ movement.

17-18. (Cancelled)

19. (Previously Presented) The biopsy device of claim 1 wherein the tissue cutting edge of the tissue cutting member has a tissue cutting angle over a substantial part of the length of the edge of the tissue cutting member with respect to the tissue cutting edge of the aperture of about 30° to about 75°.

20. (Cancelled)

21. (Currently Amended) The biopsy device of claim 1 wherein the aperture of the probe member has a tissue cutting distal edge.

22-70 (Cancelled)

71. (Currently Amended) A tissue removal device for accessing and severing a tissue specimen from supporting tissue at a target site within a patient, comprising:

- a. an elongated tubular member which has a longitudinal axis, which has an inner lumen extending therein, which has a tissue penetrating distal tip and which has a tissue receiving aperture proximal to the tissue penetrating distal tip and defined at least in part by one inner longitudinally oriented, tissue cutting edge; and
- b. an elongated tissue cutting member which is disposed within the inner lumen of the elongated tubular member, which has a distal tubular portion with a beveled distal tissue cutting tip having an outer tissue cutting edge configured to engage the at least one inner tissue cutting edge defining in part the aperture of the elongated tubular member, which has a tissue receiving opening in the bevelled distal tissue cutting tip, which has a longitudinally oriented slot in a distal wall portion of the tissue cutting

member that opens to the tissue receiving opening and which is configured to be connected to at least one drive unit to move the tissue cutting member to sever from supporting tissue a tissue specimen tissue extending into the open tissue receiving section of the elongated member by the outer tissue cutting edge of the tissue cutting tip engaging the inner tissue cutting edge defining in part the aperture of the elongated tubular member.

72-73. (Cancelled)

74. (Currently Amended) The biopsy device of claim [[73]] 71 wherein the elongated tissue cutting member has an inner lumen in fluid communication with the opening configured to receive severed tissue.

75. (Cancelled)

76. (Currently Amended) The biopsy device of claim [[75]] 71 wherein the distal tip is flared so that the outer tissue cutting edge of the tissue cutting member engages the inner tissue cutting edge of the elongated tubular member.

77. (Currently Amended) The biopsy device of claim [[75]] 71 wherein the distal tubular portion of the tissue cutting member has at least a second opening in a wall thereof.

78. (Previously presented) The biopsy device of claim 77 wherein the second opening in the wall of the distal tubular portion is adjacent to the longitudinally oriented slot in the wall.

79. (Previously presented) The biopsy device of claim 77 wherein the second opening opens to the longitudinally oriented slot.

80. (Previously presented) The biopsy device of claim 77 wherein the distal tubular portion has a third opening in a wall thereof on a side of the distal tubular member opposite to the second opening.

81. (Previously presented) The biopsy device of claim 80 wherein the third opening in the wall of the distal tubular portion is adjacent to the longitudinally oriented slot in the wall.

82. (Previously presented) The biopsy device of claim 81 wherein the third opening opens to the longitudinally oriented slot.

83. (Currently Amended) The biopsy device of claim [[72]] 71 wherein the distal tissue cutting tip has opposed tissue cutting edges.

84. (Currently Amended) The biopsy device of claim 71 wherein the elongated tissue cutting member is configured for ~~rotational~~ oscillating movement about the longitudinal axis and longitudinal movements within the elongated tubular member along the longitudinal axis.

85. (Currently Amended) An elongated tissue cutting member for an outer tubular member of a tissue biopsy device which has a tissue receiving aperture in a wall of the outer tubular member configured defined in part by a tissue cutting edge, the tissue cutting member comprising:

an elongated shaft which is configured to be slidably disposed within an inner lumen of the outer tubular member, which has a distal tubular portion with a beveled distal tip having a tissue receiving opening, at least one outer tissue cutting edge about the tissue receiving opening configured to engage a tissue cutting edge of the outer tubular member, ~~which has an opening defined at least~~

~~in part by the at least one outer tissue cutting edge to receive tissue severed by the outer cutting edge,~~ which has a longitudinally oriented slot in a wall of the distal tubular portion having a distal end that opens to the tissue receiving opening in the distal tip and which is configured to be connected to at least one drive unit to move the tissue cutting member to sever from supporting tissue a tissue specimen tissue extending into the tissue receiving aperture of the outer tubular member.

86. (Cancelled)

87. (Previously Presented) The elongated tissue cutting member of claim 85 wherein the elongated shaft has an inner lumen in fluid communication with the opening configured to receive severed tissue.

88. (Cancelled)

89. (Currently Amended) The elongated tissue cutting member of claim 85 wherein the distal tip is flared ~~so that~~ to facilitate at least one outer ~~the opposed tissue cutting edges edge to~~ engage a tissue cutting edges edge of the outer tubular member.

90. (Previously Presented) The elongated tissue cutting member of claim 85 wherein the distal tubular portion has at least a second opening in a wall thereof.

91. (Previously Presented) The elongated tissue cutting member of claim 90 wherein the second opening in the wall of the distal tubular portion is adjacent to the longitudinally oriented slot in the wall.

92. (Previously Presented) The elongated tissue cutting member of claim 91 wherein the second opening opens to the longitudinally oriented slot.

93. (Previously Presented) The elongated tissue cutting member of claim 90 wherein the distal tubular portion has a third opening in a wall thereof on a side of the distal tubular member opposite to the second opening.

94. (Previously Presented) The elongated tissue cutting member of claim 93 wherein the third opening in the wall of the distal tubular portion is adjacent to the longitudinally oriented slot in the wall.

95. (Previously Presented) The elongated tissue cutting member of claim 94 wherein the third opening opens to the longitudinally oriented slot.

96. (Cancelled)

97. (New) The tissue biopsy device of claim 1 wherein the beveled distal tip of the tissue cutting member has a leading and trailing edge.

98. (New) The tissue biopsy device of claim 97 wherein the longitudinally oriented slot in a distal wall portion opens to the tissue receiving opening at the trailing edge of the bevelled tip.

99. (New) Tissue removal device of claim 71 wherein the beveled distal tip of the tissue cutting member has a leading and trailing edge.

100. (New) The tissue removal device of claim 99 wherein the longitudinally oriented slot in a distal wall portion opens to the tissue receiving opening at the trailing edge of the bevelled tip.